



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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March 24, 2005

IN REPLY PLEASE
REFER TO FILE:

MP-6
6.042

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

SAN GABRIEL RIVER - PARCEL 336EX.16
SALE OF SURPLUS PROPERTY - CITY OF DOWNEY
SUPERVISORIAL DISTRICT 4
3 VOTES

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING
BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Find this transaction categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Declare the fee interest in San Gabriel River, Parcel 336EX.16 (651 square feet), located adjacent to a single-family residence on Gaybrook Avenue in the City of Downey, to be no longer required for the purposes of the Los Angeles County Flood Control District.
3. Overrule the City of Downey's finding that the sale of Parcel 336EX.16 does not conform with its adopted General Plan.
4. Authorize the sale of Parcel 336EX.16 to the adjacent property owners, James W. Essex and Joanne M. Essex, for \$8,900.
5. Instruct the Chair to sign the enclosed Quitclaim Deed and authorize delivery to the Grantees.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

This action will allow the District to sell a parcel of surplus property along San Gabriel River to the adjacent property owners, James W. Essex and Joanne M. Essex.

The District acquired fee title to Parcel 336EX.16 as part of the land needed for the San Gabriel River project. Construction has been completed, and the subject parcel lies outside of the required right of way. The adjacent property owners, who requested to purchase this property, are considered to be the logical purchasers.

Implementation of Strategic Plan Goals

This action is consistent with the Strategic Plan Goal of Fiscal Responsibility. The revenue from the sale will be used for flood control purposes. Furthermore, the sale will eliminate the need to maintain the property and reduce the District's expenses and liability.

FISCAL IMPACT/FINANCING

The proposed selling price of \$8,900 represents the market value. This amount has been paid and deposited into the Flood Control District Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to California Government Code Section 65402(c), the District asked the Planning Commission of the City of Downey to make a finding that the sale of the subject parcel conforms with the City's adopted General Plan. By letter dated February 28, 1997, the City stated the excess property does not conform with its adopted General Plan because the parcel does not meet the City's minimum zoning requirements for single-family residences.

Government Code Section 65402(c) further provides for your Board to overrule the City's finding of nonconformance so that the sale may proceed. The buyer has been advised of the City's requirement to file an application for merger of their property with the surplus District property.

Parcel 336EX.16 is no longer needed for the purposes of the District. This sale is not considered adverse to the District's purposes and will not hinder the use of the channel for possible transportation, utility, or recreational corridors. The Quitclaim

The Honorable Board of Supervisors
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Deed does not transfer rights to any oil, gas, petroleum, or other hydrocarbon and minerals. The enclosed Quitclaim Deed has been approved by County Counsel and will be recorded.

ENVIRONMENTAL DOCUMENTATION

This transaction is categorically exempt from CEQA, as specified in Section 15312 of the State CEQA Statutes and Guidelines, and as specified in Class 12 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

CONCLUSION

This action is in the District's best interest. Enclosed are an original and two duplicates of the Quitclaim Deed. Please have the original and duplicates signed by the Chair and acknowledged by the Executive Officer of the Board. Please return the executed original and one duplicate to this office, retaining one duplicate for your files.

One approved copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE
Acting Director of Public Works

AT:bw
P6:162DSANGABL

Enc.

cc: Auditor-Controller (Accounting Division - Asset Management)
Chief Administrative Office
County Counsel

MAIL THIS DOCUMENT AND
TAX STATEMENT TO:

James W. Essex and Joanne M. Essex
10336 Gaybrook Avenue
Downey, CA 90241

Space Above This Line Reserved for Recorder's Use

Documentary transfer tax is \$ _____
() computed on full value of property conveyed, or
() computed on full value less value of liens and
encumbrances remaining at time of sale

Assessor's Identification Number:
6287-007-915 (Portion)

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
By _____

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, does hereby remise, release, and forever quitclaim to JAMES W. ESSEX and JOANNE M. ESSEX, husband and wife as joint tenants, all its right, title, and interest in and to the real property in the City of Downey, County of Los Angeles, State of California, described in Exhibit "A" attached hereto and by this reference made a part hereof.

EXCEPTING AND RESERVING all oil, gas, petroleum, and other hydrocarbons and minerals, but without right of entry to the surface of said land.

Dated _____

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT,
a body corporate and politic

By _____
Chair, Board of Supervisors of the
Los Angeles County Flood Control District

(LACFCD-SEAL)

ATTEST:
VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

SAN GABRIEL RIVER
336EX.16
6-RW 15.5

OAG:in:P:Conf:qcdSN GAB336EX.16.doc

By _____
Deputy

NOTE: Acknowledgment form on reverse side

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chair of the Board on all papers, documents, or instruments requiring his/her signature.

The undersigned hereby certifies that on this _____ day of _____, 20____, the facsimile signature of _____, Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT was affixed hereto as the official execution of this document. The undersigned further certifies that on this date a copy of the document was delivered to the Chair of the Board of Supervisors of the LOS ANGELES COUNTY FLOOD CONTROL DISTRICT.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

(LACFCD-SEAL)

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

By _____
Deputy

APPROVED as to title and execution,
_____, 20____.
DEPARTMENT OF PUBLIC WORKS
Mapping & Property Management Division

Supervising Title Examiner

By _____

EXHIBIT A

SAN GABRIEL RIVER 336EX.16

6-RW 15.5

A.P.N. 6287-007-915

T.G. 706(E5)

I. M. 084-237S.D. 4

M0421039

LEGAL DESCRIPTION

PARCEL NO. 336EX.16 (Quitclaim of a portion of fee):

That portion of that part of Section 2, Township 3 South, Range 12 West, as shown on map of the Rancho Santa Gertrudes Subdivided for the Santa Gertrudes Land Association, recorded in Book 32, page 18, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles, described as "PARCEL NO. 336" in a Final Judgment had in Superior Court Case No. 494541, a certified copy of which is recorded in Book 23640, page 284, of Official Records, in the office said recorder, within the following described boundaries:

Beginning at the easterly corner of Lot 10, Tract No. 28456, as shown on map recorded in Book 736, pages 96, 97 and 98, of Maps in the office of said Recorder; thence South 54°02'34" East 6.74 feet along the southeasterly prolongation of the northeasterly line of said lot; thence South 36°04'18" West 24.68 feet; thence South 36°05'41" West 73.50 feet to the southeasterly prolongation of the southwesterly line of said lot; thence North 54°02'34" West 6.52 feet along said last-mentioned southeasterly prolongation to the southerly corner of said lot; thence northeasterly along the southeasterly line of said lot to the point of beginning.

Containing: 651 ± square feet.